

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DIANA MELISSA RODRIGUEZ,

Plaintiff,

v.

AIDVANTAGE, et al.,

Defendants.

Case No. [23-cv-05678-SI](#)

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

Re: Dkt. No. 5

On December 21, 2023, the Court issued a screening order in this case in which it found that plaintiff failed to plausibly plead a claim in her complaint. Dkt. No. 5. Because plaintiff is *pro se*, the Court gave plaintiff until January 19, 2024 to file an amended complaint addressing the identified deficiencies. The Court indicated that if plaintiff did not file an amended complaint by said date, the Court would dismiss the complaint without prejudice.

Plaintiff has not filed an amended complaint. Accordingly, the Court DISMISSES this case without prejudice pursuant to 28 U.S.C. § 1915(e)(2)(B) for failure to state a claim on which relief may be granted.

**IT IS SO ORDERED.**

Dated: January 26, 2024



SUSAN ILLSTON  
United States District Judge